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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Appln. No. : 09/930,917)
Applicant : John E. Gunderman et al.)
Filed : August 16, 2001)
Title : IN-GROUND CONTAINER)
 STABILIZER FOR)
 NURSERY ITEMS)

TC/A.U. : 3643)
Examiner : Jeffrey L. Gellner)

Docket No. : 20386-305)

CERTIFICATE OF MAILING

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Brea Taken 10/25/04
Brea Taken Date

AMENDMENT

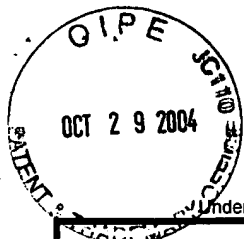
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the Office Action mailed July 28, 2004, please amend the above identified Application as set forth below.

Amendments to the Claims are reflected in the listing of claims beginning on page 2.

Remarks/Arguments begin on page 5.



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| | | | |
|---|---|-------------------------------|--------------------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | | Application Number | 09/930,917 |
| | | Filing date | August 16, 2001 |
| | | First Named Inventor | John E. Gunderman |
| | | Art Unit | 3643 |
| | | Examiner Name | Jeffrey L. Gellner |
| Total Number of Pages in This Submission | 6 | Attorney Docket Number | 20386-305 |

| ENCLOSURES (Check all that apply) | | |
|---|--|--|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 <input type="checkbox"/> Copy of the PTO Form 1533 (Rev. 9/97), Notice to File Missing Parts of Application <i>Filing Date Granted</i> <input type="checkbox"/> Executed Declaration and Power of Attorney Document | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ Remarks: | <input type="checkbox"/> After Allowance Communication to a Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal C (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) please identify below): Return Postcard |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED | |
|---|------------------------------------|
| Name (Print/Type) | David J. McKinley, Reg. No. 42,867 |
| Signature | |
| Date | October 25, 2004 |

| CERTIFICATE OF TRANSMISSION/MAILING | |
|---|------------------|
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| Typed or printed | Brea Taken |
| Signature | |
| Date: | October 25, 2004 |

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